



Executive Committee

**Adopted in House Comm. on Aug 02, 2007**

09500SB0211ham001

LRB095 04201 WGH 38374 a

1 AMENDMENT TO SENATE BILL 211

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 211 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. "An Act to authorize the Department of  
5 Transportation to convey certain parcels of land herein  
6 described", approved August 16, 1982, Public Act 82-927, is  
7 amended by changing the Preamble and Sections 2-1 and 2-2 as  
8 follows:

9 (Public Act 82-927, Preamble)

10 PREAMBLE TO ARTICLE I

11 WHEREAS, in connection with the construction of FA Route  
12 55, the People of the State of Illinois acting by and through  
13 the Department of Transportation acquired the lands described  
14 in Section 1-1 of this Act and the rights or easements of  
15 access, crossing, light, air and view, to, from or over a  
16 portion of the lands described in Section 1-1 of this Act, from

1 Erwin H. Runkwitz, Jr. and Georganna Runkwitz; and

2 WHEREAS, the Department has abandoned plans to improve FA  
3 Route 55 as a Freeway highway facility and no longer has any  
4 need or use now or in the future for either the lands or the  
5 rights or easements of access, crossing, light, air and view,  
6 to, from or over the lands described in Section 1-1 of this  
7 Act; and

8 WHEREAS, First Bank and Trust Company of O'Fallon Illinois,  
9 as Trustee under the Louis Klotz Family Trust #426, and Hilda  
10 Klotz individually are the owners, each to an undivided  
11 one-half interest of the land adjacent to the lands described  
12 in Section 1-1 of this Act and have offered to pay the current  
13 appraised value of \$18,300 for the lands described in Section  
14 1-1 of this Act; therefore

15 PREAMBLE TO ARTICLE II

16 WHEREAS, in connection with the construction of a Rest  
17 Area, the People of the State of Illinois, acting by and  
18 through the Department of Transportation, acquired the lands  
19 described in Section 2-1 of this Act and the rights or  
20 easements of access, crossing, light, air and view, to, from or  
21 over the lands described in Section 2-1 of this Act, from Ina  
22 C. Jordan, et al; and

23 WHEREAS, the Department has closed the Rest Area as a  
24 highway facility and no longer has any need or use now or in  
25 the future for the lands described in Section 2-1 of this Act;  
26 and

1           WHEREAS, The Village of Oswego, Illinois, is desirous of  
2 acquiring the lands described in Section 2-1 of this Act ~~to be~~  
3 ~~used by the Village for public purposes~~ and has agreed to pay  
4 the State the nominal consideration of \$1; therefore  
5 (Source: P. A. 82-927.)

6           (Public Act 82-927, Sec. 2-1)

7           Sec. 2-1. Upon payment of the sum of \$1 to the State of  
8 Illinois and subject to the conditions set forth in ~~Section 2-2~~  
9 ~~and~~ Article III of this Act, the Secretary of the Department of  
10 Transportation is authorized to convey by Quitclaim Deed all  
11 right, title and interest in the following described land in  
12 Kendall County, Illinois, to the Village of Oswego, Illinois.

13           Parcel 3W00036

14           A part of the Southeast Quarter of Section 9, Township 37  
15 North, Range 8 East of the Third Principal Meridian,  
16 described as follows:

17           Commencing at the Northwest corner of said Section 9;  
18 thence South 89 degrees 29' East 1,316.0 feet; thence South  
19 2,648.0 feet; thence South 89 degrees 34' East, 237.0 feet;  
20 thence South 0 degrees 06' East, 446.5 feet; thence South  
21 89 degrees 28' East, 1,620.0 feet; thence South 0 degrees  
22 42' West, 1,140.3 feet to the centerline of Waubensee Creek  
23 for a Point of Beginning; thence continuing along the last  
24 described course, 898.70 feet to a concrete right of way  
25 marker; thence continuing along the last described course,

1           43.50 feet to a point in the centerline of U.S. Route 34;  
2           thence northeasterly along the said centerline on a curve  
3           to the left having a radius of 3,243.29 feet, 468.5 feet,  
4           more or less, to a point in the centerline of Waubensee  
5           Creek; thence northwesterly along the centerline of  
6           Waubensee Creek to the Point of Beginning, all in Oswego  
7           Township, Kendall County, Illinois, except that part lying  
8           within the existing right of way of U.S. Route 34.  
9           Containing therein 3.845 acres, more or less.

10          (Source: P. A. 82-927.)

11           (Public Act 82-927, Sec. 2-2)

12           Sec. 2-2. The Village of Oswego may sell the land described  
13 in Section 2-1 of this Act and shall use the proceeds of any  
14 such sale for public purposes ~~It is understood and agreed that~~  
15 ~~in the event that the Village of Oswego ceases to occupy and~~  
16 ~~use, in whole or in part, the land described in Section 2-1 of~~  
17 ~~this Act, for a public use, the Village shall upon demand~~  
18 ~~execute and deliver an instrument returning and vesting title~~  
19 ~~thereof to the State of Illinois, Department of Transportation.~~

20          (Source: P. A. 82-927.)

21           Section 99. Effective date. This Act takes effect upon  
22 becoming law."